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BEFORE THE ARIZONA CORPORATION COMMISSION
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COMMISSIONERS

MIKE GLEASON - Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

IN THE MATTER OF THE APPLICATION OF
JOHNSON UTILITIES, L.L.C. FOR AN
EXTENSION OF ITS SEWER CERTIFICATE OF
CONVENIENCE AND NECESSITY IN PINAL
COUNTY, ARIZONA.

DOCKET NO. WS-02987A-07-0487

PROCEDURAL ORDER

BY THE COMMISSION:

On August 21, 2007, Johnson Utilities, L.L.C. ("Applicant" or "Johnson") filed with the Arizona Corporation Commission ("Commission") an application for an extension of its sewer Certificate of Convenience and Necessity ("Certificate") to include the developments known as Skyline Estates, Quail Run Estates, and the J.O. Combs Educational Village located in Pinal County, Arizona.

On September 21, 2007, the Commission's Utilities Division Staff ("Staff") issued an Insufficiency Letter in this matter stating Johnson's application had not met the sufficiency requirements as outlined in Arizona Administrative Code ("A.A.C.") and requesting additional data.

On April 25, 2008, Staff docketed a copy of a letter sent to Johnson stating that the deficiencies in Johnson's application had not been corrected and that Staff recommended that the docket be administratively closed, if Johnson did not file additional information in support of its application by May 9, 2008.

On May 9, 2008, Johnson filed its response to Staff's Insufficiency Letter.

On June 3, 2008, Staff filed a Sufficiency Letter in this docket indicating that Johnson's application had met the sufficiency requirements as outlined in the A.A.C.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

1 IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall be held
 2 on **August 7, 2008, at 10:00 a.m.**, or as soon thereafter as is practicable, at the Commission's offices,
 3 1200 West Washington Street, Hearing Room #1, Phoenix, Arizona 85007.

4 IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-
 5 105, except that all Motions to Intervene must be filed on or before **July 21, 2008**.

6 IT IS FURTHER ORDERED that **objections to any Motions to Intervene** must be filed no
 7 later than **July 31, 2008**.

8 IT IS FURTHER ORDERED that Johnson shall provide public notice of the hearing in this
 9 matter, in the following form and style, with the heading no less than 10 point bold type and the body
 10 no less than 10 point regular type:

11 **PUBLIC NOTICE OF THE HEARING ON THE APPLICATION**
 12 **OF JOHNSON UTILITIES, L.L.C. FOR AN EXTENSION**
 13 **OF ITS SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY**
IN PINAL COUNTY, ARIZONA.
(Docket No. WS-02987A-07-0487)

14 On August 21, 2007, Johnson Utilities, L.L.C. ("Applicant" or "Johnson") filed with
 15 the Arizona Corporation Commission ("Commission") an application for an extension
 16 of its sewer Certificate of Convenience and Necessity in Pinal County, Arizona. The
 17 Commission's Utilities Division ("Staff") has not yet made a recommendation
 18 regarding Johnson's application, and the Commission is not bound by the proposals
 19 made by Johnson, Staff, or any intervenors. The Commission will issue a Decision
 20 regarding Johnson's application following consideration of testimony and evidence
 21 presented at an evidentiary hearing. Copies of the application are available at
 22 Johnson's offices [insert address] and the Commission's offices at 1200 West
 23 Washington Street, Phoenix, Arizona, for public inspection during regular business
 24 hours and on the internet via the Commission website (www.azcc.gov) using the e-
 docket function.

25 The Commission will hold a hearing on this matter beginning **August 7, 2008, at**
 26 **10:00 a.m.**, at the Commission's offices, Hearing Room #1, 1200 West Washington
 27 Street, Phoenix, Arizona. Public comments will be taken on the first day of the
 28 hearing. Written public comments may be submitted via email (visit
http://www.azcc.gov/divisions/utilities/forms/public_comments.pdf), or by mailing a
 letter referencing Docket Number WS-02987A-07-0487 to: Arizona Corporation
 Commission, Consumer Services Section, 1200 West Washington Street, Phoenix,
 Arizona 85007.

The law provides for an open public hearing at which, under appropriate
 circumstances, interested parties may intervene. Any person or entity entitled by law
 to intervene and having a direct and substantial interest in the matter will be permitted
 to intervene. If you would like to intervene, you must file a written motion to
 intervene with the Commission, and you must send copies of the motion to the
 Company or its counsel, and to all parties of record in the case. Your motion to
 intervene must contain the following:

1. Your name, address, and telephone number, and the name, address, and telephone number of any party upon whom documents are to be served in your place, if desired;
2. A short statement of your interest in the proceeding (e.g., a customer of the Company, a shareholder of the Company, etc.); and
3. A statement certifying that a copy of your motion to intervene has been mailed to the Company or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before July 21, 2008. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any person or entity from appearing at the hearing and making a statement on their own behalf.

If you have any questions about this application, you may contact Johnson at [insert telephone number]. If you wish to file written comments on the application or want further information on intervention, you may contact the Consumer Services Section of the Commission at 1200 W. Washington Street, Phoenix, Arizona 85007, or call 1-800-222-7000.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Linda Hogan, E-mail LHogan@azcc.gov, voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that Johnson shall **mail to each property owner or property owner representative** in the requested extension area a copy of the above notice and shall cause the above notice to be **published in a newspaper of general circulation** in its service territory, with publication and mailing to be completed no later than **June 27, 2008**.

IT IS FURTHER ORDERED that Johnson shall **file certification of mailing and publication** as soon as practicable after the mailing/publication has been completed, but not later than **July 7, 2008**.

IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing and publication of same, notwithstanding the failure of an individual property owner to read or receive the notice.

IT IS FURTHER ORDERED that Staff shall file a **Staff Report** on or before **July 7, 2008**.

IT IS FURTHER ORDERED that any **objections to the Staff Report** shall be filed on or before **July 21, 2008**.

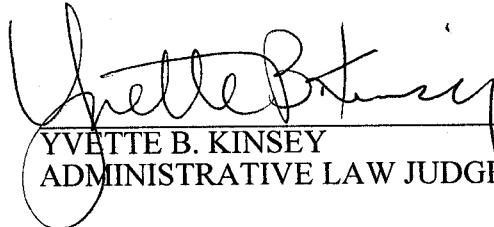
1 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
2 Communications) applies to this proceeding as the matter is set for public hearing.

3 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
4 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro*
5 *hac vice*.

6 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
7 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
8 Rules of Arizona Supreme Court). Representation before the Commission includes the obligation to
9 appear at all hearings and procedural conferences, as well as all Open Meetings for which the matter
10 is scheduled for discussion, unless counsel has previously been granted permission to withdraw by
11 the Administrative Law Judge or the Commission.

12 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,
13 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
14 hearing.

15 Dated this 16th day of June 2008.

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18 
19 YVETTE B. KINSEY
20 ADMINISTRATIVE LAW JUDGE
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23
24
25
26
27
28

1 Copies of the foregoing mailed/delivered
2 this 6th day of June 2008 to:

3 Brian P. Tompsett
4 JOHNSON UTILITIES, L.L.C.
5 5230 East Shea Boulevard., Suite 200
6 Scottsdale, Arizona 85254

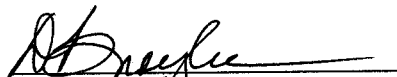
7 Richard L. Sallquist
8 SALLQUIST, DRUMMOND & O'CONNOR, P.C.
9 4500 South Lakeshore Drive, Suite 339
10 Tempe, Arizona 85282
11 Attorneys for Johnson Utilities, L.L.C.

12 Janice Alward, Chief Counsel
13 Legal Division
14 ARIZONA CORPORATION COMMISSION
15 1200 West Washington Street
16 Phoenix, Arizona 85007

17 Ernest G. Johnson, Director
18 Utilities Division
19 ARIZONA CORPORATION COMMISSION
20 1200 West Washington Street
21 Phoenix, Arizona 85007

22 ARIZONA REPORTING SERVICE, INC.
23 2200 North Central Avenue, Suite 502
24 Phoenix, Arizona 85004-1481

25 By:

26 
27 Debra Broyles
28 Secretary to Yvette B. Kinsey